

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**FILED**

January 31, 2006

CLERK, U.S. DISTRICT COURT

**LETRESS McCUIN, #04082384,**

**Plaintiff,**

**v.**

**GARY JOHNSON, et al.**

**Defendant.**

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**Civil Action No. 3:05-cv-2199-R**

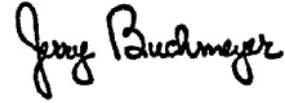
**ORDER**

United States Magistrate Judge William Sanderson filed Findings, Conclusions and a Recommendation ("FC&R") in this case on January 9, 2006. In that decision, the Magistrate Judge recommended that Petitioner's application for a writ of habeas corpus be dismissed for want of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Magistrate Judge noted that as of the date of the decision, Petitioner had failed to comply with an earlier order entered in the case and had failed to notify the Court of her new address. *See* FC&R at 2. The Magistrate Judge's decision was returned as undeliverable to Petitioner on January 25, 2006; the stamp on the face of the returned envelope stated that Petitioner was no longer in the Dallas County Jail. *See* Dkt. Doc. No. 6 (3:05-cv-2199).

The Court proceeds under the assumption that Petitioner has failed to notify the Court of her new address. Accordingly, after reviewing the Magistrate Judge's Findings, Conclusions, and Recommendation pursuant to 28 U.S.C. §636(b), the Court concludes that they are correct and are hereby **ADOPTED** as the findings of this Court. This case will be dismissed without prejudice by separate order of the Court.

**IT IS SO ORDERED**

**ENTERED: January 31, 2006**

A handwritten signature in black ink, reading "Jerry Buchmeyer". The signature is written in a cursive, flowing style.

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**HON. JERRY BUCHMEYER  
SENIOR UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS**